

EC

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America)

v.)

Robert B. Gemienhardt) Case No. 2:22-mj-248

1167 Charles Street)

Logan, Ohio 43138)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2020 - March 2022 in the county of Hocking in the
Southern District of Ohio, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. Section 2251(a) and (b)

Production of child pornography - use of a minor engaged in sexually explicit conduct for the purpose of producing a visual depiction of such conduct

18 U.S.C. Section 2252(a)(2) and 2252(a)(4)(B).

Receipt and Possession of visual depictions of minors engaged in sexually explicit conduct, in interstate commerce.

This criminal complaint is based on these facts:

See attached affidavit incorporated herein by reference

☒ Continued on the attached sheet.

Complainant's signature

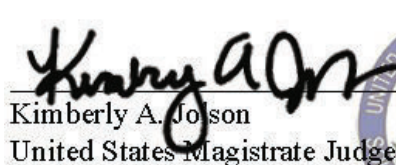
FBI SA Jeremy Lindauer

Printed name and title

Sworn to before me and signed in my presence.

April 7, 2022

Date: _____

City and state: Columbus, Ohio

 Kimberly A. Johnson
 United States Magistrate Judge


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In the matter of:

United States of America

v.

Robert B. Gemienhardt

1167 Charles Street

Logan, Ohio 43138

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:
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Case No.:

Magistrate Judge Jolson

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jeremy Lindauer, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Athens Resident Agency, being first duly sworn, hereby depose and state as follows:

1. I, Special Agent Jeremy Lindauer (your affiant), make this affidavit in support of a criminal complaint to arrest for violations of 18 U.S.C. §§ 2251, 2252 and 2252A - the production, distribution, receipt, and possession of child pornography. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that Robert B. GEMIENHARDT (GEMIENHARDT) committed the violations listed above.
2. I am a Special Agent (SA) with the Federal Bureau of Investigations (FBI) and have been since September of 2015. I am currently assigned to the Resident Agency in Athens, Ohio. I have been so employed since 2015. Prior to joining the FBI, I worked as a patrol officer for the Fishers Police Department in Fishers, Indiana, between 2008 and 2015. While there, I received training and experience in conducting many types of criminal investigations, including crimes against children. I was promoted to Field Training Officer for the department prior to leaving to accept a position as Special Agent for the FBI in 2015. Within the FBI, I was first assigned to the Joint Terrorism Task Force in New York City, where I conducted and assisted in complex terrorism investigations across the globe. I was transferred to the Athens Resident Agency in September of 2020, where my responsibilities expanded to include investigating criminal violations relating to child exploitation and child pornography violations, including the illegal production, distribution, transmission, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252 and 2252A.
3. In February 2022, your affiant received information pertaining to an individual by the name of Robert B. GEMIENHARDT who was believed to have distributed child pornography online after having sustained a previous conviction for a crime against a minor child. GEMIENHARDT was currently residing in Hocking County, Ohio. Your affiant subsequently obtained numerous reports and spoke with officials from the Hocking County Sheriff's Office and the Columbus Division of Police regarding the current and previous investigation of GEMIENHARDT that had been conducted thus far.

4. On or about December 30, 2021, a CyberTipLine report was submitted to the National Center for Missing and Exploited Children (NCMEC) by Kik Messenger services regarding the uploading of child pornography to the Kik account associated with the username xxxbigdxxx. According to the information that was provided by Kik, between the dates of November 14, 2021, and November 23, 2021, fourteen files depicting child sexual abuse material were transmitted over the Kik messenger servers via the target Kik account. The CyberTipLine report indicated that seven of the fourteen files were identified using the MD5 hash matching method¹. Copies of the uploaded files were included with the CyberTipLine report along with information pertaining to the IP address utilized to access the account at the time the suspect files were transmitted and a registered email for the Kik account, which was redrobin_mgr@hotmail.com. A summary of some of those images is as follows:
 - One image titled 8baa9a90-fd30-46b8-a5f9-aa6a8575bf1e.jpg depicting a nude pubescent female with adult male penis inserted into her anal cavity and a white substance covering her genitalia.
 - One image titled 5fd7f2a5-7de5-4ad9-ad49-eee8e6754d29.jpg depicting two nude pubescent females preparing to kiss each other with their nude genitalia exposed to the camera.
 - One image titled 00cdf857-72f2-42fb-b7ff-614b9dd9cc57.jpg depicting a pubescent female with her underwear pulled down, exposing her nude genitalia.
5. The investigation revealed that the IP address used to upload the child sexual abuse material was geolocated to Hocking County, Ohio. More specifically, the IP address resolved to the internet service provider Spectrum with a subscriber name of Carrie DANIELS at the address of 1167 Charles Street in Logan, Ohio.
6. On or about February 22, 2022, the Hocking County Sheriff's Office (HCSO) in Logan, Ohio received the NCMEC CyberTipLine report from the Ohio Internet Crimes Against Children Task Force (ICAC). In the initial investigation into this address, an open-source search on the Ohio sex offender registry revealed Robert B. GEMIENHARDT had listed the address of 1167 Charles Street in Logan, Ohio as his residence. GEMIENHARDT was listed as a Tier I sex offender. HCSO drove by the Charles Street address of GEMIENHARDT and observed numerous children's toys outside the residence. HCSO later confirmed that four minor females resided at that address as well including five-year-old JANE DOE ONE, twelve-year-old JANE DOE TWO, fifteen-year-old JANE DOE THREE and seventeen-year-old JANE DOE FOUR .
7. In accordance with the terms of his sex offender registration obligations, GEMIENHARDT was asked to meet with law enforcement from the HSCO. During that meeting, after being advised of his *Miranda* rights, GEMIENHARDT admitted that his Kik username was xxxbigdxxx, and that he had used his email address redrobin_mgr@hotmail.com to register his Kik account.

¹ A hash value is "an algorithmic calculation that yields an alphanumeric value for a file." *United States v. Stevenson*, 727 F.3d 826, 828 (8th Cir. 2013). Hash values have been referred to as a "unique digital fingerprint," *United States v. Sosa-Pintor*, 741 Fed. Appx. 207 (5th Cir. 2018), and are "regularly used to compare the contents of two files against each other." *United States v. Reddick*, 900 F.3d 636, 637 (5th Cir. 2018). Because only two identical files will return the same hash value, both law enforcement and private cloud storage companies use hash matching to identify and attempt to thwart the spread of child pornography material on the internet. *Id.* at 637-638.

GEMIENHARDT also confirmed that he had used Kik to view child pornography in the past and further admitted to viewing and possessing images of minor children and disseminating those photos online. At that point, GEMIENHARDT was arrested for a violation of Ohio Revised Code 2907.322(A)1 (Pandering Sexually Oriented Matter Involving a Minor).

8. Subsequent to GEMIENHARDT's arrest, HCSO obtained numerous search warrants which ultimately led to the recovery of two cell phones and one desktop computer belonging to GEMIENHARDT, to include GEMIENHARDT's personal Samsung Galaxy Note 10+ cell phone.
9. A forensic extraction of the Samsung Galaxy Note 10+ was completed by the FBI who had been in contact with HCSO and assisting with the investigation. A subsequent review of that extraction revealed thousands of text messages between GEMIENHARDT and Carrie DANIELS discussing all four JANE DOES in a sexual manner. More specifically, numerous messages were recovered detailing the efforts of GEMIENHARDT and DANIELS to groom each JANE DOE to engage in sexual acts with both GEMIENHARDT and DANIELS. The following is an excerpt of the conversations between GEMIENHARDT (RG) and DANIELS (CD) occurring on December 30, 2020:

RG: The way JANE DOE THREE keeps grabbing your boobs.....the idea of you tasting her pussy
CD: You want me to?
RG: The idea is naughty and hott
RG: It would be hot to see you both naked touching eachother
RG: The idea of you pleasing her
CD: Tell me more

Another conversation occurring on February 16, 2021, detailed the continuing discussions of JANE DOE THREE

RG: I wanna see her touch you wet pussy as you touch hers
CD: Too bad we didn't get to see it last night
RG: So close
CD: It really was. I think she wants to see you naked
RG: [surprised emoji]
CD: She wants you to streak
RG: You wanna show her? How would you do it
CD: Would you like her seeing?
RG: I was asking if you wanna show her cock
CD: She has seen before...
RG: Massage my legs while I lay on my back
CD: Yeah
RG: I know you would slide your hands in my boxers to rub me down as i got harder
RG: Which means she would see you tech rubbing my cock
RG: Then just depends if you pull it out at all
RG: Wonder how she would react
CD: Nice!
CD: She would look. She looks at your ass a lot
RG: She watch you stroke me off
RG: Make me explode
CD: Not sure about that

RG: So if i was gonna cum you would cover me up
CD: Play it by ear
RG: Would you keep rubbing and make me cum... or would you stop
CD: It would be hard to stop
RG: Mmmm
CD: you've seen her tits a few times
RG: Yes she hasn't been shy... lol
CD: Has she shown you her pussy yet?
RG: No
CD: Maybe she was trying last night??
RG: Not sure
CD: Never know
RG: Hott seeing u touch her

The conversation continued into April 2021 revealing more detailed set-ups of leading JANE DOE THREE to more advanced sexual activities, up to and including GEMIENHARDT touching and rubbing JANE DOE THREE's breasts and vagina. The following is an excerpt of a conversation occurring on April 17, 2021:

RG: Let's make JANE DOE THREE really wet tonight
CD: Oh yeah?
RG: Let's see if she sleeps with us tonight
CD: She seems pretty flirty tonight
RG: [winking emoji][winking emoji]
CD: Did you see how wet her shorts are in the bathroom?
RG: No
RG: Is it nice
CD: Yes it is
RG: Tonight lets see if she will go in the middle
RG: You suck her tits nice and slow again
CD: If she's up for it. Yes!
RG: I'll see how wet she is...see if she is interested in playing
RG: Maybe tonight u kiss that pussy
CD: Be careful though
RG: I will
RG: Im inside there all the time
CD: Lips touching lips while we kiss

10. Your affiant also noted a conversation occurring November 24, 2021, between GEMIENHARDT and DANIELS in which GEMIENHARDT distributed to DANIELS an approximately 31-second video depicting himself masturbating and ejaculating into the underwear of JANE DOE FOUR. In response to receiving the video from GEMIENHARDT, DANIELS indicated that she showed the video to JANE DOE ONE. The following conversation then ensued:

RG: What did JANE DOE ONE say watching me cum
CD: Commented teh (sic) panties were JANE DOE FOUR's
RG: She knew the panties
CD: Yeah
RG: What all did she say
CD: Not much. Said she wasn't looking at your pee pee
RG: She say anything about cum on panties

CD: No
RG: She needs covered in cum
RG: On her pussy
RG: U wish we could be openly sexual with all 6 of them ²
RG: I loved when u used to grab my hand and put it on her pussy
RG: So naughty
CD: Very naughty
RG: Put the tip of my cock on her and explode all on and in her lil hole
CD: Whoops! Yummy

11. In addition to the text messages recovered relating to each JANE DOE, numerous images which depicted JANE DOE ONE were recovered which depicted JANE DOE ONE and Carrie DANIELS. The following is a *brief* summary of the images seized from GEMIENHARDT's phone it relates to JANE DOE ONE:

- One image depicting JANE DOE ONE's right hand inserted into the nude vagina of DANIELS. The metadata on this image indicates that it was produced on June 14, 2020 using the digital media device attributed to DANIELS and then distributed to GEMIENHARDT that same day. At the time the image was produced, JANE DOE ONE would have been three years of age.
- One image depicting JANE DOE ONE laying on a bed fully nude, with her legs spread exposing her vagina and anus. JANE DOE ONE was pictured lying in-between the legs of DANIELS, who was also nude from the waist down, and DANIELS nude vagina is directly next too JANE DOE ONE's buttocks. The metadata on this image indicates that it was produced on June 16, 2020 using the digital media device attributed to DANIELS and then distributed by DANIELS to GEMIENHARDT who last viewed or accessed the image on June 28, 2020. At the time the image was produced, JANE DOE ONE would have been three years of age.
- One image depicting JANE DOE ONE nude from the waist down, laying on a bed with a sexual device in between her legs. In the image, DANIELS is depicted lying next to JANE DOE ONE, also engaged in acts of masturbation with a different sexual device. The metadata on this image indicated that it was last viewed or accessed on August 25, 2020 and was therefore produced sometime before that day making JANE DOE ONE approximately three to four years of age in the image.

12. Based on the images recovered on GEMIENHARDT's phone, on March 4, 2022, DANIELS was arrested by HCSO for a violation of Section 2907.02 of the Ohio Revised Code (Rape). Upon her arrest, a blue Samsung Galaxy S10 was seized from DANIELS and a search warrant for that device was obtained. A forensic extraction of DANIEL's device revealed the following as it related to GEMIENHARDT:

- One image, depicting JANE DOE ONE engaged in the lascivious display of genitalia. In the image, the nude vagina of DANIELS and the nude penis of GEMIENHARDT are also depicted and JANE DOE ONE is positioned between the two of them. The metadata

² Your affiant reasonably believes that the reference to "6 of them" relates to all four JANE DOES and two additional minor male children of whom GEMIENHARDT has access too as revealed by this investigation. Those male minors, however, are not listed as victims in this case.

associated with this image indicates that it was last viewed or accessed June 13, 2020 and therefore produced before that date making JANE DOE ONE approximately three to four years of age in the image.

- One image depicting JANE DOE ONE's hand wrapped around the nude penis of GEMIENHARDT. The metadata associated with this image indicates that this image was last viewed or accessed on August 28, 2020, and therefore produced before that date making JANE DOE ONE approximately three to four years of age in the image.
13. The forensic examination of GEMIENHARDT's Samsung Galaxy Note which has been completed thus far has also revealed approximately 1,100 images of what reasonably appeared to be child sexual abuse material. Those images include prepubescent males and females, some as young as toddler age, engaged in nudity, oral sex, masturbation, or other sexual activity with other adults. Review of the forensic extraction, as well as other investigation into GEMIENHARDT's online child exploitation activities, remains ongoing.
14. Your affiant has also confirmed that on July 6, 2021, GEMIENHARDT was convicted of Sexual Imposition pursuant to Section 2907.03 of the Ohio revised Code out of Franklin County Municipal Court in Franklin County, Ohio. According to Columbus Division of Police reports obtained by your affiant, the victim in that case was approximately five years of age at the time of the incident.
15. Based upon the foregoing, your affiant submits that there is probable cause to believe that Robert B. GEMIENHARDT has committed the violations of 18 U.S.C. §§ 2251, 2252 and 2252A - the production, distribution, receipt, and possession of child pornography. Therefore, your affiant respectfully requests this court issue a criminal complaint and arrest warrant.

Respectfully submitted,
Jeremy N Lindauer
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on


Kimberly A. Johnson
United States Magistrate Judge

